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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/823,257	04/13/2004	Ramiro Quintero Illera	68349-00011USPX	3496
23932	7590	07/10/2006	EXAMINER	
JENKENS & GILCHRIST, PC 1445 ROSS AVENUE SUITE 3200 DALLAS, TX 75202			PHAN, THO GIA	
			ART UNIT	PAPER NUMBER
			2821	

DATE MAILED: 07/10/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/823,257

Applicant(s)

QUINTERO LLLERA ET AL.

Examiner

Tho G. Phan

Art Unit

2821

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 09 June 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-4, 10-46 and 48-50 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 23-46 is/are allowed.
- 6) ☒ Claim(s) 1, 2, 16 and 49 is/are rejected.
- 7) ☒ Claim(s) 3, 4, 10-15, 17-22, 48 and 50 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>5/31/06, 6/9/06</u> | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Remarks***

An "RCE" filed on 6/9/06 have been entered in the application.

### ***Allowable Subject Matter***

1. The indicated allowability of claims 1-2, 16 and 49 are withdrawn in view of the newly discovered reference(s) to Ying (WO 00/36700) [newly cited by Applicant] and Isohatala et al (6,366,243) [of record]. Rejections based on the reference(s) follow.

### ***Claim Objections***

2. Claims 1 is objected to because of the following informalities:

In claim 1, line 4, "filing" should change to --filling--.

Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Art Unit: 2821

3. Claims 1-2, 16 and 49 are rejected under 35 U.S.C. 102(e) as being anticipated by Isohatala et al (6,366,243) [of record].

Isohatala et al in figure 8 disclose at least two polygons (top and bottom rectangle portions, see figures 8a,8d,8e-8g,8i) of the multilevel structure are spaced by means of a non-straight gap (spacing between top and bottom rectangle portions) shaped as a space-filling curve, wherein the non-straight gap increases a resonant length of the multiband antenna but does not increase an overall physical size of the multiband antenna, and wherein the overall physical size of the multiband antenna is defined by the outer dimensions of the multiband antenna, wherein the space-filling curve approximates a curve, at least two polygons of the structure are quadrangles (figures 8a,8d,8e-8g and 8i) and a capacitive load (column 3, lines 22-31) on the multilevel structure.

4. Claims 1-2, and 16 are rejected under 35 U.S.C. 102(b) as being anticipated by Ying (WO 00/36700) [newly cited by Applicant].

Ying in figure 6 discloses at least two polygons 605/610, 615/620 of the multilevel structure are spaced by means of a non-straight gap shaped as a space-filling curve, wherein the non-straight gap increases a resonant length of the multiband antenna but does not increase an overall physical size of the multiband antenna, and wherein the overall physical size of the multiband antenna is defined by the outer dimensions of the multiband antenna, wherein the space-filling curve approximates a curve.

**Allowable Subject Matter**

5. Claims 23-46 are allowed.
6. Claims 3-4, 10-15, 17-22, 48 and 50 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.
7. The following is a statement of reasons for the indication of allowable subject matter: The claims are allowable over the art of record because the prior art does not teach the multilevel structure comprising eight polygons.

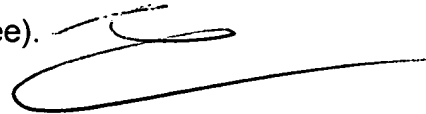
**Conclusion**

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tho G. Phan whose telephone number is 571-272-1826. The examiner can normally be reached on M-F, 9:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Timothy Callahan can be reached on 571-272-1740. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2821

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Tho G Phan  
Primary Examiner  
Art Unit 2821